

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DAMEON COLE,

Plaintiff,

vs.

BETH TREDWAY,

Defendant.

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Case No. 14-cv-01313-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the court on the Report and Recommendation (“R & R”) (Doc. 29) of Magistrate Judge Philip M. Frazier with regard to Defendant Beth Tredway’s Motion (Doc. 21) for Summary Judgment. Objections to the R & R were due by January 4, 2016. The Plaintiff requested and received an extension to file an objection by January 15, 2016. Neither party has filed an objection to the R & R and the time for doing so has passed.

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the R & R. The Court has reviewed the entire file and finds that the R & R is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 29) and **GRANTS** Defendant Beth Tredway’s Motion (Doc. 21) for Summary Judgment. Defendant Tredway was the sole defendant in this matter.

Therefore, this matter is **DISMISSED** without prejudice and the Clerk of Court is **DIRECTED** to enter judgment accordingly.

IT IS SO ORDERED.

DATED: 1/27/2016

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE